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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,809	09/17/2003	Masanobu Nishitani	116927	4046
25944 7590 07/29/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
SAINT CYR, LEONARD				
ART UNIT		PAPER NUMBER		
2626				
MAIL DATE		DELIVERY MODE		
07/29/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/663,809

Applicant(s)

NISHITANI ET AL.

Examiner

LEONARD SAINT CYR

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/24/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4, 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 5, filed 04/24/08, with respect to claims 1, 3, 4, and 6 - 9 have been fully considered and are persuasive. The 35 U.S.C 102 rejection of claims 1, 3, 4, and 6 - 9 has been withdrawn.

Applicant argues that Shinoda et al., selecting a state having the Gaussian distribution number whose description length is minimum, for every state (Amendment, page 5).

The examiner agrees, but this limitation is obvious over Shinoda et al., since Shinoda et al., disclose selecting a node set which makes the description length minimum, wherein a node set is considered as a state. Thus, that selected node set or state will have a minimum description length.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 3, 4, 6- 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinoda et al., (HMM Size Reduction using MDL Criterion, Japan, March 2002).

As per claim 1, Shinoda et al., teach an acoustic model creating method of creating an HMM (Hidden Markov Model) by optimizing, for each state, Gaussian

distribution numbers of the respective states constituting the HMM and retraining the optimized HMM using training speech data, the method comprising:

setting plural types of the Gaussian distribution numbers from a predetermined value to a maximum distribution number for each of the plurality of states constituting the HMM ("model having a large number of distributions trained with sufficient training data"; page 1; introduction, lines 19 – 23);

obtaining a set of respective training speech xN by matching in time series a plurality of the training speech data with respective states of an HMM having any one of the Gaussian distribution numbers from the predetermined value to the maximum distribution number ("large number of distributions"; page 2, section 3, lines 1, and 2; page 1, lines 19 - 23);

computing a description length for each of the plurality of states; each state having the plural types of Gaussian distribution numbers using a Minimum Description Length criterion applied to the data xN ("Minimum Description Length criterion minimum is selected for each state"; page 1; introduction, lines 23, and 24);

constructing the HMM in accordance with the state having the Gaussian distribution number whose description length is minimum, selected for every state ("re-estimate all HMM parameters"), and retraining the constructed HMM using the training speech data ("re-training HMM"; page 4, lines 5 – 7; page 5, lines 8 – 10); and

performing speech recognition using the retrained HMM (page 4, section 5, lines 1, and 2).

Shinoda et al., does not specifically teach selecting a state having the Gaussian distribution number whose description length is minimum, for every state. However, since Shinoda et al., disclose selecting a node set which makes the description length minimum; and defining a distribution set corresponding to the selected node set as a distribution of the state (page 4, lines 4 – 6). One having ordinary skill in the art at the time the invention was made would have found it obvious to select a state having the Gaussian distribution number whose description length is minimum in Shinoda et al., because that would help re-estimate all HMM parameters using the selected node set or state (page 4, line 7).

As per claims 3, and 4, Shinoda et al., further disclose that the second term on the right side of the equation being multiplied by a weighting coefficient α , and the third term on the right side being omitted ("the second term is multiplied by penalty coefficient α "; page 3, lines 10, and 11).

As per claim 6, Shinoda et al., further disclose that the Gaussian distribution numbers being the maximum distribution number ("large number of distributions"; page 1, lines 19 – 23).

As per claim 7, Shinoda et al., further disclose that the HMMs being syllable HMMs ("phonological"; page 5, lines 3 – 7).

As per claim 8, Shinoda et al., further disclose that the syllable HMMs having the same consonant out of the states constituting the syllable HMMs tie an initial state or at least two states including an initial state in the syllable HMMs, and the syllable HMMs having the same vowel tie a final state of the states having self loops or at least two states including the final state in the syllable HMMs ("initial model"; page 4, section 4, line 5 – page 4, line 7)

As per claim 9, Shinoda et al., further disclose that a speech recognition device recognizes input speech using HMMs (Hidden Markov Models) as acoustic models for feature data obtained by feature analysis of the input speech, the HMMs created by the acoustic model creating method according to claim 1 being used as the HMMs which are the acoustic models ("used acoustic feature"; page 4, section 5, lines 1 - 6).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD SAINT CYR whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS

07/24/08

/Richmond Dorvil/
Supervisory Patent Examiner, Art Unit 2626